

Appl. No. 09/889,086
Amdt. Dated January 18, 2006
Reply to Office action of November 16, 2005

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and applicants request that the application be favorably reconsidered in view of the remarks and amendments made herein.

Claims 3, 4, and 6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Thus, claims 3, 4, and 6 have been amended herein to cure any indefiniteness as pointed out by the Examiner. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant acknowledges with appreciation the indicated allowability of claim 6 if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Accordingly, claim 6 has been rewritten herein as suggested by the Examiner. Allowance of claim 6 is respectfully requested.

Claims 1-4 and 7-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida et al. (JP Patent 11-312285, Machine Translation) in view of Tognazzini (U.S. Patent No. 5,914,675). Traversal of this rejection is made for at least the following reasons. Neither Yoshida et al. nor Tognazzini, individually or in combination, teach or suggest a *mobile terminal that instructs the first radio communication means to transmit predetermined data to an information service center prior to transmitting voice communication to the information service center via the on-vehicle terminal main unit, wherein the predetermined data includes state information, location information, and terminal ID information, as required by independent claim 1*. Similarly, neither Yoshida et al. nor Tognazzini, individually or in combination, teach or suggest that data stored in a data retaining means of a mobile terminal be transmitted to an on-vehicle terminal main unit, which then transmits the data to an information service center, as required by independent claim 7. The Examiner relies on hand set 36 and radio means 23 of Yoshida et al. as being equivalent to the claimed mobile terminal and first radio communication means, respectively. However, in Yoshida et al., the hand set 36 does not instruct the radio means 23 to transmit state information, location information, and terminal ID information to the information service center. Rather, the only disclosed use for the hand set in Yoshida et al. is for voice communications between people within the vehicle and people at the emergency response center.

Tognazzini fails to make up for the aforementioned deficiencies of Yoshida et al. In Tognazzini, rather than instructing a first radio communication means located within an on-

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vehicle terminal main unit to transmit information, the portable locator device transmits state information, location information, and vehicle ID information directly to the emergency response center. In fact, the on-vehicle terminal main unit of Tognazzini is only configured to transfer data between vehicle sensors and the portable locator device. The on-vehicle terminal main unit of Tognazzini cannot communicate with the emergency response center.

Because, neither Yoshida et al. nor Tognazzini, individually, teach or suggest transmitting data information from a mobile terminal to an on-vehicle terminal main unit, the combination of Yoshida et al. and Tognazzini cannot teach or suggest such limitation. Accordingly, the combination of Yoshida et al. and Tognazzini cannot render claims 1 or 7 obvious. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33791.

Respectfully submitted,
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